



COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 21-2

February 25, 2021

Petition of Charter Fiberlink MA-CCO, LLC and Time Warner Cable Information Services (Massachusetts), LLC for Designation as an Eligible Telecommunications Carrier.

FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF TELECOMMUNICATIONS AND CABLE TO CHARTER FIBERLINK MA-CCO AND TIME WARNER CABLE INFORMATION SERVICES (MASSACHUSETTS), LLC

Pursuant to 207 C.M.R. § 1.06(6)(c), the Department of Telecommunications and Cable (“Department”) submits to Charter Fiberlink MA-CCO, LLC (“Fiberlink”) and Time Warner Cable Information Services (Massachusetts), LLC (“Time Warner,” together “Massachusetts Charter”) the following information requests:

Instructions

1. Each request should be answered in writing on a separate page with a recitation of the request, a reference to the request number, the docket number of the case, and the name of the person responsible for the answer.
2. This request should be treated as a rolling information request. Do not wait for all answers to be completed before supplying answers. Provide each answer to the Department as soon as it is available.
3. These requests shall be deemed continuing so as to require further supplemental responses if Massachusetts Charter or its witness receives or generates additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
4. The term “provide complete and detailed documentation” means: Provide all data, assumptions, and calculations relied upon. Provide the source of and basis for all data and

assumptions employed. Include all studies, reports, and planning documents from which data, estimates, or assumptions were drawn and support for how the data or assumptions were used in developing the projections or estimates. Provide and explain all supporting workpapers.

5. The term “document” is used in its broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, correspondence, press releases, handwritten and/or typed notes, records, reports, bills, checks, articles from journals and/or other sources, e-mails, SMS text messages, blog postings, RSS feeds, web pages, social media postings such as Facebook and Twitter, and/or other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.
6. The term “certify” means to provide a sworn certification by the appropriate corporate officer.
7. The term “Affiliate” means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, Massachusetts Charter. For purposes of this definition, the term “own” means to own an equity interest (or the equivalent thereof) of more than 10 percent.
8. The term “person” includes an individual, partnership, association, joint-stock company, trust, or corporation.
9. The term “Charter” includes Massachusetts Charter and any Affiliate.
10. The term “RDOF” means the federal Rural Digital Opportunity Fund.
11. The term “ETC” means eligible telecommunications carrier.
12. The term “Petition” refers to Massachusetts Charter’s application for ETC designation in the above-captioned proceeding.
13. The term “FCC” means the Federal Communications Commission.
14. The term “service area” means a service area as defined in 47 U.S.C. § 214(e)(5).
15. The term “RDOF Census Blocks” means those census blocks listed in Exhibits A or B of the Petition.
16. If any one of these requests is ambiguous, notify the Department so that the request may be clarified prior to the preparation of a written response.
17. File the responses with Shonda D. Green, Secretary of the Department, not later than 5:00 P.M. on **March 12, 2021**.

Requests:

- D.T.C. 1-1 On the third page of Massachusetts Charter’s Motion for Protective Treatment of Confidential Information, Massachusetts Charter identifies CCO Holdings, LLC as a Charter entity that won bids in the RDOF Census Blocks, and states that CCO Holdings, LLC then assigned its bids to either Fiberlink or Time Warner. Page 10 and Exhibits A and B of the Petition reflect this understanding, but page 2 of the Petition states that CCO Holdings, LLC assigned all of its winning bids in Massachusetts to Time Warner. Please clarify whether CCO Holdings, LLC assigned all of the RDOF Census Blocks to Time Warner, or whether CCO Holdings, LLC assigned some of the RDOF Census Blocks to Fiberlink. In addition:
- a. Is CCO Holdings, LLC the only Charter-affiliated entity that won bids in the RDOF auction for census blocks in Massachusetts?
 - b. What criteria did CCO Holdings, LLC use to determine which RDOF Census Blocks to assign to each of Fiberlink and Time Warner?
 - c. Did CCO Holdings, LLC assign all of its winning bids in the RDOF auction in Massachusetts to either Fiberlink or Time Warner?
 - d. Are there any remaining conditions that CCO Holdings, LLC must satisfy before it can complete its assignments of its winning bids in the RDOF auction in Massachusetts? If so, what requirements must CCO Holdings, LLC still satisfy to complete these assignments? Has the FCC placed any requirements or contingencies on any final assignments?
- D.T.C. 1-2 What entity will provide Lifeline service in those RDOF Census Blocks which CCO Holdings, LLC has assigned to Fiberlink (“Fiberlink Census Blocks”)? Explain that entity’s ownership and managerial relationship to Fiberlink. In addition:
- a. Explain how Fiberlink will ensure that its Lifeline service will meet applicable service quality and emergency functionality standards.
 - b. Explain how Fiberlink will ensure continued voice service in the event that Fiberlink’s relationship with the entity that will provide Lifeline service in the Fiberlink Census Blocks ends.
 - c. Provide any proposed service plans and marketing materials for Lifeline voice and broadband service, including bandwidth, pricing, contract terms, and service limitations.
 - d. Identify by name and title the executive officers and senior managers of the entity that will provide Lifeline service in the Fiberlink Census Blocks.

- D.T.C. 1-3 What entity will provide non-Lifeline broadband internet access service in the Fiberlink Census Blocks? Explain that entity's ownership and managerial relationship to Fiberlink, and identify by name and title the executive officers and senior managers of the entity that will provide non-Lifeline broadband internet access service in the Fiberlink Census Blocks.
- D.T.C. 1-4 What entity will provide non-Lifeline voice service in the Fiberlink Census Blocks? Explain that entity's ownership and managerial relationship to Fiberlink, and identify by name and title the executive officers and senior managers of the entity that will provide non-Lifeline voice service in the Fiberlink Census Blocks.
- D.T.C. 1-5 What entity will provide Lifeline service in the RDOF Census Blocks which CCO Holdings, LLC has assigned to Time Warner ("Time Warner Census Blocks")? Explain that entity's ownership and managerial relationship to Time Warner. In addition:
- a. Explain how Time Warner will ensure that its service will meet applicable service quality and emergency functionality standards.
 - b. Explain how Time Warner will ensure continued voice service in the event that Time Warner's relationship with the entity that will provide Lifeline service in the Time Warner Census Blocks ends.
 - c. Provide any proposed service plans and marketing material for both Lifeline voice and broadband service, including bandwidth, pricing, contract terms, and service limitations.
 - d. Identify by name and title the executive officers and senior managers of the entity that will provide Lifeline service in the Time Warner Census Blocks.
- D.T.C. 1-6 What entity will provide non-Lifeline broadband internet access service in the Time Warner Census Blocks? Explain that entity's ownership and managerial relationship to Time Warner, and identify by name and title the executive officers and senior managers of the entity that will provide non-Lifeline broadband internet access service in the Time Warner Census Blocks.
- D.T.C. 1-7 What entity will provide non-Lifeline voice service in the Time Warner Census Blocks? Explain that entity's ownership and managerial relationship to Time Warner, and identify by name and title the executive officers and senior managers of the entity that will provide non-Lifeline voice service in the Time Warner Census Blocks.
- D.T.C. 1-8 Provide a complete and detailed description of the ownership structure of Fiberlink. Also, provide a complete and detailed list of all of Fiberlink's Affiliates, if any, and provide all of the names under which each does business.

- D.T.C. 1-9 Identify by name and title the executive officers and senior managers of each entity which owns a majority stake in or otherwise holds a controlling interest in Fiberlink.
- D.T.C. 1-10 Provide a complete and detailed description of the ownership structure of Time Warner. Also, provide a complete and detailed list of all of Time Warner's Affiliates, if any, and provide all of the names under which each does business.
- D.T.C. 1-11 Identify by name and title the executive officers and senior managers of each entity which owns a majority stake in or otherwise holds a controlling interest in Time Warner.
- D.T.C. 1-12 Identify all states and any countries other than the United States, broken down by entity, in which Fiberlink or Time Warner offers telecommunications services.
- D.T.C. 1-13 Identify any communities in Massachusetts, broken down by entity, in which Fiberlink or Time Warner currently offer voice or broadband services.
- D.T.C. 1-14 Certify whether Fiberlink, Time Warner, or any of their Affiliates, have any outstanding tax liabilities or other late payments or liabilities due and owing to the Commonwealth of Massachusetts or any government and/or any quasi-public entity in any other jurisdictions. If so, provide complete and detailed documentation identifying the amount(s) owed and explaining the reasons for such arrears.
- D.T.C. 1-15 Identify any and all ongoing litigation involving Fiberlink or Time Warner in any jurisdiction. Provide a docket number and summary of the litigation for each matter identified.
- D.T.C. 1-16 Certify whether the FCC, any state utilities commission, or any other government agency has rendered or entered a finding, criminal conviction (including plea agreements), or civil judgment against Fiberlink or any of its executive officers or senior managers or Time Warner or any of its executive officers or senior managers during the last ten years. Provide a copy of any such finding, conviction, plea agreement, or civil judgment entered against Fiberlink or Time Warner or any of their executive officers or senior managers.
- D.T.C. 1-17 Identify and describe the non-Lifeline broadband and voice plans, including voice only plans, Fiberlink and Time Warner plan to offer in the RDOF Census Blocks, including information on bandwidth, pricing, contract terms, and service limitations.
- D.T.C. 1-18 Will Fiberlink and Time Warner offer Spectrum Internet Assist in all of the RDOF Census Blocks? If so, describe the service terms for Spectrum Internet Assist in

the RDOF Census Blocks and how the offering interrelates with the entities' Lifeline offerings.

- D.T.C. 1-19 Identify and describe Fiberlink's and Time Warner's broadband and voice plans for schools, libraries and other community institutions in the RDOF Census Blocks. Include any information on bandwidth, pricing, contract terms including service level agreements, and service limitations. Will Fiberlink and Time Warner offer 10 Gbps symmetrical speed broadband Internet connections to all schools, libraries, hospitals, and other important community institutions in the Fiberlink Census Blocks, as Charter indicates on page 7 of the Petition that it does in other communities?
- D.T.C. 1-20 Describe how Fiberlink and Time Warner will certify and verify the eligibility of each of its Lifeline subscribers, identifying any staff or contractors responsible for verifying Lifeline eligibility.
- D.T.C. 1-21 Please provide copies of all of the materials Charter filed with the FCC as part of FCC Forms 183 (Short-Form Application) and 683 (Long-Form Application).
- D.T.C. 1-22 Provide an organization chart showing the employees or groups responsible for the following services:
- a. Fiberlink's Internet Service Provider Services.
 - b. Fiberlink's Network Operator Services.
 - c. Fiberlink's Customer Support Services.
- D.T.C. 1-23 Provide an organization chart showing the employees or groups responsible for the following services:
- a. Time Warner's Internet Service Provider Services.
 - b. Time Warner's Network Operator Services.
 - c. Time Warner's Customer Support Services.
- D.T.C. 1-24 Describe Fiberlink's and Time Warner's experience with constructing broadband networks and the qualifications that each entity requires of its subcontractors.
- D.T.C. 1-25 Identify any states where Fiberlink, Time Warner, or any of their Affiliates have been designated as an ETC. For each, state whether that designation is limited, and if so how, and include any specific requirements imposed on or volunteered by the ETC. Provide complete and detailed documentation describing any such limitations or requirements.

- D.T.C. 1-26 Identify any states that have denied a petition for ETC designation from Fiberlink, Time Warner, or any of their Affiliates, and any states in which Fiberlink, Time Warner, or any of their Affiliates have withdrawn a petition for ETC designation. Provide complete and detailed documentation for each denial or withdrawal.
- D.T.C. 1-27 Identify any states that have rescinded, revoked, or otherwise terminated an ETC designation of Fiberlink, Time Warner, or any of their Affiliates. Provide complete and detailed documentation for each state.
- D.T.C. 1-28 Provide the FCC-determined location counts for each of the RDOF Census Blocks, by both block and block group.
- D.T.C. 1-29 Describe Fiberlink's and Time Warner's intended method for identifying serviceable locations in the RDOF Census Blocks and for reporting served locations into the High Cost Universal Broadband (HUBB) database.
- D.T.C. 1-30 Describe any additional residential services Fiberlink and Time Warner intend to offer using their networks in the RDOF Census Blocks. Include any information on pricing, service terms, and service conditions.
- D.T.C. 1-31 Describe any additional business or enterprise services Fiberlink and Time Warner intend to offer using their networks in the RDOF Census Blocks. Include any information on pricing, service terms, and service conditions.
- D.T.C. 1-32 Describe more fully Fiberlink's and Time Warner's experiences with the Lifeline program, the Universal Service Administrative Company, the National Lifeline Accountability Database, and other third party Lifeline administrators, as referenced on page 20 of the Petition.
- D.T.C. 1-33 Provide Fiberlink's and Time Warner's service outage reporting and restoration plans for their RDOF Census Blocks identifying any staff or contractors responsible for service restoration in the RDOF Census Blocks.